

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NELLIE TRAINOR,

Plaintiff,

v.

Case No. 13-10093

COMMISSIONER OF SOCIAL
SECURITY,

HON. TERRENCE G. BERG
HON. LAURIE J. MICHELSON

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge Laurie J. Michelson's Report and Recommendation of February 13, 2014, (Dkt. 20) recommending that Plaintiff's motion for summary judgment (Dkt. 14) be granted in part, that Defendant's motion for summary judgment (Dkt. 17) be denied, and that under sentence four of 42 U.S.C. § 405(g) the disability determination of the Commissioner of Social Security be remanded.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). The Court has

reviewed and will accept the Magistrate Judge's Report and Recommendation of February 13, 2014, (Dkt. 20) as the findings and conclusions of this court.

Accordingly, it is hereby ORDERED that Magistrate Judge Michelson's Report and Recommendation of February 13, 2014, (Dkt. 15) is ACCEPTED and ADOPTED.

It is FURTHER ORDERED that Plaintiff's motion for summary judgment (Dkt. 14) is GRANTED IN PART, and the Defendant's motion for summary judgment (Dkt. 17) is DENIED.

It is FURTHER ORDERED that under sentence four of 42 U.S.C. § 405(g) the disability determination of the Commissioner of Social Security is REMANDED.

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Dated: March 13, 2014

Certificate of Service

I hereby certify that this Order was electronically submitted on March 13, 2014, using the CM/ECF system, which will send notification to each party.

By: s/H. Monda for A. Chubb
Case Manager